

## **REMARKS**

Claims 1 and 3 are amended. Accordingly, Claims 1-31 are currently pending in the Application.

In the Office Action mailed February 13, 2003, the Examiner withdrew the rejection of Claim 2 under 35 U.S.C. § 112, first paragraph. Applicants would like to thank the Examiner for withdrawing the rejection.

In the Office Action, the Examiner rejected Claims 1, 3-5, 19-20, 29 and 30 under 35 U.S.C. § 102(b) as being anticipated by Yamada et al. (U.S. Patent No. 5,589,299) ("Yamada"). To the extent the rejection applies to the amended claims, Applicants respectfully traverse the rejection.

Applicants respectfully submit that independent Claims 1, 3, 4, and 19 recite the limitation of a copper-based alloy which is produced by a plating process into a foil shape. Applicants respectfully submit that Yamada does not teach or suggest the desirability of a foil shape produced by a plating process as recited in independent Claims 1, 3, 4, and 19.

Applicants respectfully submit that dependent Claims 5, 20, and 29-30 are dependent Claims which depend from one of independent Claims 1, 3, 4, and 19, discussed above, and are allowable for at least the same reasons as their respective dependent claims. Applicants respectfully request that the Examiner withdraw the rejection to Claims 1, 3-5, 19-20, and 29-30.

In the Office Action, the Examiner rejected Claims 1, 4, and 19 under 35 U.S.C. § 103(a) as being unpatentable over Idota et al (U.S. Patent No. 5,686,203) ("Idota"). To the extent the rejection applies to the amended claims, Applicants respectfully traverse the rejection.

In the Office Action, the Examiner stated that Idota does not teach any specific examples of the disclosed copper alloy. The Examiner goes on to state, "However, the invention as a whole would have been obvious to one having ordinary skill in the art at the time the invention was made because Idota teaches and suggests that copper alloys are particularly preferred."

Applicants respectfully submit that Idota does not teach or suggest the desirability of a foil produced by a plating process. Applicants are submitting herewith a Declaration Pursuant to 37 C.F.R. § 1.132 to demonstrate the benefits of an alloy foil produced by a plating process.

Applicants respectfully request that the Examiner withdraw the rejection to Claims 1, 4, and 19.

In the Office Action, the Examiner rejected Claims 1, 4, and 19 under 35 U.S.C. § 103(a) as being unpatentable over Yamahira et al. (U.S. Patent No. 5,601,950) ("Yamahira") as evidenced by Idota. To the extent the rejection applies to the amended claims, Applicants respectfully traverse the rejection.

Applicants respectfully submit that neither Yamahira nor Idota teach or suggest the desirability of a foil produced by a plating process. Applicants are filing herewith a Declaration Pursuant to 37 C.F.R. § 1.132 that demonstrates the benefits of an alloy foil produced by a plating process.

In the Office Action, the Examiner stated that Claims 16-18, 21-28, and 31 contained allowable subject matter. Applicants would like to thank the Examiner for stating that those claims contain allowable subject matter.

### CONCLUSION

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance and such action is earnestly solicited at the earliest possible date.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

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Dated: 8/13/03

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#### CERTIFICATE OF MAILING:

I hereby certify that this correspondence is being deposited on the date shown below with sufficient postage as First Class Mail with the United States Postal Service in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Nedy Calderon 8/13/03  
Nedy Calderon Date